

## UNITED STATES DISTRICT COURT

for the  
Northern District of New York

In the Matter of the Search of

(Briefly describe the property to be searched  
or identify the person by name and address)

United States Postal Service Priority Mail Express Parcel  
Number EL103256555US, more fully described in  
Attachment A

Case No. 8:15-MJ-377 (GLF)

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

United States Postal Service Priority Mail Express Parcel Number EL103256555US, located at the U.S. Postal Inspection Service Office at 10 Miller Street in Plattsburgh, New York, 12901, as more fully described in Attachment A,

located in the Northern District of New York, there is now concealed (identify the person or describe the property to be seized):

Please see Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 U.S.C. 841	Possession with intent to distribute and distribution of a controlled substance
21 U.S.C. 846	Conspiracy to possess with intent to distribute and to distribute a controlled substance

The application is based on these facts:  
Please see attached affidavit.

☒ Continued on the attached sheet.

☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Brendan T. Donahue

Applicant's signature

Brendan T. Donahue, U.S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: OCT. 16, 2015

Gary L. Favro

Judge's signature

City and state: Plattsburgh, NY

Hon. Gary L. Favro

Printed name and title

**AFFIDAVIT IN SUPPORT OF**  
**AN APPLICATION FOR A SEARCH WARRANT**

I, Brendan T. Donahue, a United States Postal Inspector, being duly sworn, do hereby depose and state:

**INTRODUCTION**

1. I am a U.S. Postal Inspector assigned to investigate, among other things, the unlawful transportation of contraband through the United States Mail, including controlled substances under Title 21 of the United States Code. I have been a Postal Inspector since April 2012, and I am currently assigned to the Albany, NY Domicile of the United States Postal Inspection Service's Boston Division. In that capacity, I work on a variety of investigations including the prohibited mailing of narcotics through the U.S. Mail. I was previously employed as a police officer with the Shrewsbury, MA, Police Department from 2006 to 2011, and the Watertown, MA, Police Department from 2011 to 2012.

2. This affidavit is made in support of an application for a federal search warrant to search U.S. Postal Service Priority Mail Express Parcel Number EL103256555US, addressed to Jenna Lieberman, Smooth Moves, 4 Broad St., Plattsburgh, NY 12901, with the return address of Michelle Cook, 1965 Peerless Ave., Arcata, CA 95521 (the "SUBJECT PARCEL"), for evidence, fruits, and instrumentalities of criminal violations relating to the trafficking of controlled substances in violation of 21 U.S.C. § 841 and 846, as more fully described in Attachment B.

3. The SUBJECT PARCEL, as described in Attachment A, is currently located at the U.S. Postal Inspection Service Office at 10 Miller Street in Plattsburgh, New York, 12901, which is located in the Northern District of New York.

4. In June 2012, I completed the U.S. Postal Inspection Service Basic Inspector Training in Potomac, MD. I have received formal instruction from U.S. Postal Inspectors, Assistant United States Attorneys, and other law enforcement officers who have worked extensively investigating the sale, distribution and manufacture of controlled substances. I received training in the identification of controlled substances through the U.S. Postal Inspection Service and through contacts with experts from state and federal drug enforcement agencies. I have received training from the International Association of Chiefs of Police, the Massachusetts Criminal Justice Training Committee, and the National Highway Transportation Safety Administration in drug evaluation and classification.

5. During my employment as a law enforcement officer, I have performed the following tasks relevant to this application for a search warrant:

- A. During the past year, I have participated in investigations involving the mailing of narcotics and the international smuggling of narcotics.
- B. I have participated in interviewing witnesses, cooperating individuals and informants regards illegal trafficking in drugs and have read official reports of other officers.
- C. I have been a surveillance officer observing and recording movements of persons trafficking in drugs and those suspected of trafficking in drugs.
- D. I have also worked on many investigations involving the use of the mail and the Postal Service to launder and smuggle currency derived from specified unlawful activities, including narcotics distribution, in violation of 18 U.S.C. §§ 981, 982, 1956, and 1957, and 31 U.S.C. §§ 5324 and 5325.

E. I have made numerous arrests as both a municipal police officer and as a Postal Inspector for possession of narcotics, possession with intent to distribute narcotics, distribution of narcotics and trafficking narcotics.

6. I have participated in the investigation of this matter, and I am familiar with the information contained in this affidavit based on my personal participation in the investigation, my examination of documents and records, conversations with other law enforcement officers about this matter, my training and experience, and my discussions with other law enforcement personnel concerning the distribution of controlled substances.

7. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that evidence of violations of 21 U.S.C. §§ 841 and 846, as more fully described in Attachment B, are contained in the SUBJECT PARCEL.

#### **PROBABLE CAUSE**

8. On September 22, 2015, while profiling Express Mail packages at the United States Postal Service ("USPS"), Albany, NY, Processing and Distribution Center in Colonie, NY, for narcotics, I identified a suspicious parcel addressed to Jenna Lieberman, Smooth Moves, 4 Broad St., Plattsburgh, NY 12901, with a return address of Cara Dixon, 275 Beverly Dr., Arcata, CA 95521. The parcel was further identified by its tracking number as Priority Mail Express Parcel #EK927890971US ("PARCEL 1"). PARCEL 1 weighed 10 lbs, 12 ozs and bore postage in the amount of \$88.90. PARCEL 1 was determined to be suspicious because (i) it was heavily taped along the edges, and (ii) based on my training and experience, I am aware that the geographic area in California from which PARCEL 1 was shipped is known for the growth and distribution

of marijuana. Despite its suspicious nature, PARCEL 1 was allowed to be processed with other mail and was not detained.

9. On September 23, 2015, I conducted a search of CLEAR for Cara DIXON at 275 Beverly Dr., Arcata, CA 95521, but the search produced no results for that name at that address. CLEAR, which is owned and operated by Thomson Reuters, Inc., is an information database service that is sold commercially to U.S. law enforcement agencies for legitimate investigations. I also checked the USPS delivery records for PARCEL 1, which showed the recipient of PARCEL 1 as a "J LIEBERMAN." The USPS captures geographic coordinates—longitude and latitude—at the point of delivery for parcels, which are specifically associated with a particular parcel. The USPS geographic coordinates for PARCEL 1 revealed that it was delivered to 4 Broad St., Plattsburgh, NY.

10. On the same date, I requested and reviewed USPS delivery records for 4 Broad St., Plattsburgh, NY 12901. The records show that between April 29, 2015 and September 22, 2015, approximately 12 additional packages similar to PARCEL 1 were shipped to 4 Broad St., Plattsburgh, NY. All 12 packages were shipped from in and around Arcata, CA, weighed between approximately 9lbs and 11lbs, and were sent via Priority Mail Express Mail. Thereafter, I established a "Parcel Watch" for 4 Broad St., Plattsburgh, NY, 12901, a process whereby I receive an electronic alert for any parcels destined for delivery to that address.

11. On October 15, 2015, I received an electronic alert for the SUBJECT PARCEL, which Postal Inspector Jeffrey Korman intercepted at the Albany, NY Processing and Distribution Center and brought to the U.S. Postal Inspection Service Albany, NY Domicile located in the U.S. Post Office in Troy, NY. I viewed the

SUBJECT PARCEL and observed that it was addressed to “Jenna Lieberman, Smooth Moves, 4 Broad St., Plattsburgh, NY 12901,” with the return address of “Michelle Cook, 1965 Peerless Ave., Arcata, CA 95521.” I also noted the odor of marijuana emanating from the SUBJECT PARCEL, which weighs 10lbs. 5ozs. The SUBJECT PARCEL, which is heavily taped along the edges, has postage affixed in the amount of \$88.90. The Priority Mail Express Label indicates that it was presented for mailing in ZIP code 95501, which is associated with Eureka, CA, as opposed to Arcata, CA 95521, which is the location of the return address.

12. That same day, I conducted a search of CLEAR for the return address “Michelle COOK, 1965 Peerless Ave, Arcata, CA 99521.” CLEAR produced no results for anyone by that name at that address. I also conducted a search in CLEAR for anyone associated with the address “1965 Peerless Ave., Arcata, CA 99521,” but CLEAR produced no results. The return address on the SUBJECT PARCEL appears, therefore, to be fictitious.

13. Also on October 15, 2015, Rensselaer County Sheriff’s Office Deputy Sheriff Sandy Blodgett and her service canine, “Kilo,” responded to the Troy, NY Post Office to conduct an external examination of the SUBJECT PARCEL. Deputy Sheriff Blodgett and Kilo are a New York State Certified K-9 team, certified in the detection of narcotics. Kilo has been continually certified by the New York State Division of Criminal Justice to detect narcotics since 2011. In presenting the SUBJECT PARCEL to Kilo for external examination, the SUBECT PARCEL was hidden in and amongst mail transportation equipment. Kilo located the SUBJECT PARCEL and alerted to the odor of narcotics emanating from it. Following Kilo’s alert, the SUBJECT PARCEL was

transported to the U.S. Postal Inspection Service Office at 10 Miller Street in Plattsburgh, New York, where it is currently located

14. I am aware, through my training and experience, that drug traffickers often utilize the U.S. Mails, including Priority Mail Service, for the delivery of controlled substances for many reasons, including but not limited to:

- A. Items sent via Priority Mail are considered to be First Class Mail, and therefore cannot be examined without a federal search warrant.
- B. Priority Mail is generally expected to be delivered in 2-3 business days, which ensures the drug dealer of expedited delivery.
- C. Various dispatch times (times which a mailed item is transported to the next destination) are available to customers, upon request, and gives the mailer the opportunity to have some control over the arrival of the mailed item.
- D. Individuals desiring to either send or receive controlled substances and payments for these substances through the U.S. Mails can do so without having to provide identification, thereby reducing the possibility of revealing their true identity.
- E. Priority Mail service includes the use of individual parcel tracking numbers which allow the sender and/or intended recipient to track the travel of the parcel after it is posted by telephone or internet.

15. Based on the above facts, and based on my training and experience, as well as the training and experience of other law enforcement officers who have knowledge of this investigation, your affiant submits that the foregoing facts establish

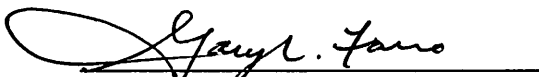
probable cause to believe that there are controlled substances, including illegal drugs; U.S. Currency; packaging; shipping records; notes and correspondence; and/or evidence tending to identify the source and/or intended recipient of the SUBJECT PARCEL inside the SUBJECT PARCEL. Accordingly, your affiant seeks authorization to search the SUBJECT PARCEL for evidence, fruits, and instrumentalities of violations 21 U.S.C. §§ 841 and 846, as more fully described in Attachment B.

16. Since the investigation is continuing, your affiant requests that all papers submitted in support of this Application, including the Search Warrant, Application, Affidavit, and Sealing Order be sealed until such time as the Court directs otherwise. Disclosure of the search warrant affidavit at this time might seriously jeopardize the ongoing investigation, as such disclosure may provide an opportunity to destroy evidence, change patterns of behavior, or notify confederates committing similar violations.



Brendan T. Donahue  
U.S. Postal Inspector

Subscribed to and sworn to before  
me this 16<sup>th</sup> day of October, 2015.



Hon. Gary E. Favro  
U.S. Magistrate Judge



**ATTACHMENT A**  
**PROPERTY TO BE SEARCHED**

The property to be searched is United States Postal Service Priority Mail Express Parcel Number EL103256555US, addressed to “Jenna Lieberman, Smooth Moves, 4 Broad St., Plattsburgh, NY 12901,” and bearing the return name and address of “Michelle Cook, 1965 Peerless Ave., Arcata, CA 95521” (“SUBJECT PARCEL”). The SUBJECT PARCEL is located at the U.S. Postal Inspection Service Office at 10 Miller Street in Plattsburgh, New York, 12901.

**ATTACHMENT B**  
**ITEMS TO BE SEIZED AND SEARCHED**

Items evidencing violations of Title 21, United States Code, Sections 841 and 846 (possession with intent to distribute controlled substances and conspiracy), including, without limitation:

1. Controlled substances, including illegal drugs;
2. U.S. Currency;
3. Packaging, inside or affixed to the parcel described in Attachment A;
4. Shipping records, inside or affixed to the parcel described in Attachment A;
5. Notes and correspondence, inside or affixed to the parcel described in Attachment A;
6. Evidence tending to identify the source of the parcel described in Attachment A; and
7. Evidence tending to identify the intended recipient of the parcel described in Attachment A.